

PROPOSED DUCES TECUM ATTACHMENT

TO SUBPOENA FOR GOVERNOR PALIN AND/OR

CUSTODIAN OF RECORDS FOR GOVERNOR'S OFFICE

In addition to personal appearance, pursuant to Fed. R. Crim. P. 17(c) the accompanying subpoena commands that you bring with you the following:

For purposes of this subpoena duces tecum, the term "document" is all inclusive and means the original or any copy of all material that is written, printed, typed, photographed, or any other form of record preserving information, or which is capable of being recorded or reproduced in any form. The term includes, but is not limited to, papers, books, records, letters, photographs, tangible things, **electronic mail**, correspondence, telegrams, cables, telex messages, memoranda, accounting records, filings with governmental authorities, notes, transcripts, minutes, reports and recordings of telephone or other conversations, or of interviews, or of other meetings, affidavits, statements, summaries, opinions, reports, analyses, evaluations, contracts, agenda, bulletins, notices, announcements, advertisements, charts, annuals, brochures, publications, schedules, statistical records, calendars, appointment books, diaries, lists, spreadsheets, sound recordings, computer diskettes, microfilm, books of accounts, all records kept by electronic, photographic, or mechanical means, any notes or drafts relating to the foregoing, and all things similar to any of the foregoing however denominated.

- (1) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner to the date Governor Palin established her Yahoo! account(s) and, if applicable, the date she discontinued use of her Yahoo! account(s).
- (2) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner to Governor Palin's awareness of and/or assent to the nature and scope of the terms of service and/or privacy policies for users of Yahoo! email accounts.
- (3) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner to any other individual being allowed or given authority to access Governor Palin's Yahoo! e-mail accounts.
- (4) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner to access to the Yahoo! e-mail accounts using a Blackberry or similar device.
- (5) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner the manner in which a user may authorize others to access an Yahoo! e-mail account and/or setting out the responsibilities of the user for preventing unauthorized access.

(6) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner to the use of (or the decision to use) private email accounts to conduct official state business by Governor Palin and/or individuals appointed to, hired by, or associated with the Office of the Governor of Alaska under Governor Palin's tenure.

(7) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner to open records requests filed with the Office of the Governor of Alaska under Governor Palin's tenure concerning the use of private e-mail accounts, responses to these requests, and any documents detailing the status or resolution of such requests; all matters that have been deemed to be public records that were sent or received using the Yahoo! e-mail accounts.

(8) Any documents in your custody, possession, or control which relate, reflect, and/or refer in any manner to any voluntary disclosure of e-mail addresses of family members, pictures of Governor Palin's family, cell phone numbers of family members, dates of birth of Governor Palin and members of her family and/or the address book for the Yahoo! e-mail account, which are alleged to be confidential and personal information in the indictment.